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6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
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9 United States of America,  
10 Plaintiff,  
11 v.  
12 Donald Day, Jr.,  
13 Defendant.

No. CR-23-08132-PCT-JJT

**ORDER GRANTING MOTION TO  
CONTINUE TRIAL AND PRETRIAL  
MOTIONS**

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15 On the Court's own Motion,

16 **IT IS ORDERED** continuing the Jury Trial and Pretrial Motions Deadline.

17 This Court specifically finds that the ends of justice served by granting a  
18 continuance outweigh the best interests of the public and the defendant in a speedy trial.  
19 This finding is based upon the Court's conclusion that the failure to grant such a  
20 continuance would deny Defendant the reasonable time necessary for effective preparation,  
21 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

22 **IT IS FURTHER ORDERED** continuing the trial from February 6, 2024 to **April  
23 2, 2024 at 9:00 a.m.**

24 **IT IS FURTHER ORDERED** continuing the pretrial motions deadline until  
25 **March 4, 2024.**

26 **IT IS FURTHER ORDERED** vacating the Status Conference set for January 22,  
27 2024.

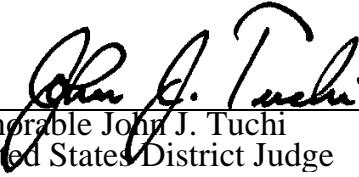
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1           **IT IS FURTHER ORDERED** that if any subpoenas were previously issued and  
2 served in this matter, that they remain in effect and are answerable at the new trial date and  
3 the party who served the subpoena should advise the witnesses of the trial date.

4           **IT IS FURTHER ORDERED** that excludable delay under Title 18 U.S.C.  
5 §3161(h)(7)(A) and (B) will commence from February 7, 2024 to April 2, 2024.

6           **IT IS FURTHER ORDERED** that the parties shall keep the Court apprised of the  
7 possibility of settlement and should settlement be reached, the parties shall notify the Court.

8           Dated this 17th day of January, 2024.

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11           Honorable John J. Tuchi  
United States District Judge

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